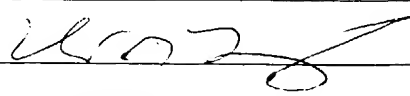
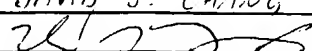


<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/052,664	<b>RECEIVED</b> OCT 20 2004 TECH CENTER 1600/2900
	Filing Date	January 17, 2002	
	First Named Inventor	Paul David Cannon	
	Art Unit	Nirmal Singh Basi	
	Examiner Name	1646	
Total Number of Pages in This Submission	78	Attorney Docket Number	ROCH-001DIV (R0058C-DIV)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): • Certificates of Mailing; Return Postcard
Remarks Applicants believe that no fees are due. However should this not be the case, the Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 9-170	Appeal Brief (only) In Triplicate	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	ROCHE PALO ALTO LLC Patent Department, M/S A2-250 3431 Hillview Avenue, Palo Alto, CA 94304
Signature	David J. Chang, Reg. No. 50,374 
Date	October 12, 2004

CERTIFICATE OF MAILING OR FACSIMILE			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	DAVID J. CHANG		
Signature		Date	October 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. docs # 126533v1

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 450.00

Complete if Known

Application Number 10/052,664  
Filing Date January 17, 2002  
First Named Inventor Paul David Cannon  
Examiner Name Nirmal Singh Basi  
Art Unit 1646  
Attorney Docket No. ROCH-001DIV (R0058C-DIV)

RECEIVED

OCT 20 2004

TECH CENTER 1600/2900

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit Account Number 18-1700

Deposit Account Name Roche Palo Alto LLC  
3431 Hillview Avenue  
Palo Alto, CA 94304

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790			Utility filing fee	
1002	350			Design filing fee	
1003	550			Plant filing fee	
1004	790			Reissue filing fee	
1005	160			Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  - \*\* =  0 X  18 =  18  
Independent Claims  - \*\* =  0 X  88 =  88  
Multiple Dependent  X  =  0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18			Claims in excess of 20
1201	88			Independent claims in excess of 3
1203	300			Multiple dependent claim, if not paid
1204	88			** Reissue independent claims over original patent
1205	18			** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110.00
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	340.00
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.413(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission and final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.149(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 450.00)

## SUBMITTED BY

Name (Print/Type)

David J. Chang

Registration No.

50,374

Telephone

(650) 855-5316

Signature

David J. Chang

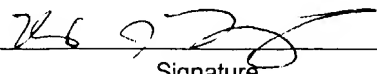
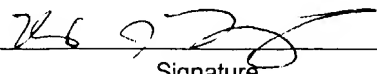
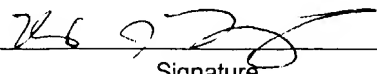
Date

October 12, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

#126532v1

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) <b>R0058C-DIV</b>												
In re Application of: <b>Paul David Cannon et al.</b>														
Application Number: <b>10/052,664</b>		Filed: <b>January 17, 2002</b>												
For: <b>HUMAN INTESTINAL NPT2B</b>														
Art Unit: <b>1646</b>	Examiner: <b>Nirmal Singh Basi</b>													
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired):</p> <table style="width: 100%;"><tr><td><input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))</td><td style="text-align: right;">\$ <u>110.00</u></td></tr><tr><td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td><td style="text-align: right;">\$ _____</td></tr><tr><td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td><td style="text-align: right;">\$ _____</td></tr><tr><td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td><td style="text-align: right;">\$ _____</td></tr><tr><td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td><td style="text-align: right;">\$ _____</td></tr></table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> <b>The Director has already been authorized to charge fees in this application to Deposit Account No. 18-1700. Please see Fee Transmittal accompanying this Petition..</b></p> <p>I am the <input type="checkbox"/> applicant/inventor.</p> <p style="margin-left: 150px;"><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71</p> <p style="margin-left: 150px;">Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p style="margin-left: 150px;"><input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>50,374</u></p> <p style="margin-left: 150px;"><input type="checkbox"/> attorney or agent under 37 CFR 1.34(a).</p> <p style="margin-left: 150px;">Registration number if acting under 37 CFR 1.34(a). _____.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; vertical-align: top; padding-bottom: 10px;"><p>October 12, 2004</p><hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/><p>Date</p><p>(650) 855-5316</p><hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/><p>Telephone Number</p></td><td style="width: 50%; vertical-align: top; padding-bottom: 10px;"><div style="text-align: center;"> Signature</div><p>David J. Chang</p><hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/><p>(Typed or printed name)</p></td></tr></table> <p><small>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</small></p> <p><input type="checkbox"/> Total of <u>1</u> form(s) are submitted.</p>			<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ <u>110.00</u>	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ _____	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____	<p>October 12, 2004</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>Date</p> <p>(650) 855-5316</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>Telephone Number</p>	<div style="text-align: center;"> Signature</div> <p>David J. Chang</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>(Typed or printed name)</p>
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ <u>110.00</u>													
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____													
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ _____													
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____													
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____													
<p>October 12, 2004</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>Date</p> <p>(650) 855-5316</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>Telephone Number</p>	<div style="text-align: center;"> Signature</div> <p>David J. Chang</p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p>(Typed or printed name)</p>													

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc. # 126531v1

RECEIVED

OCT 20 2004

TECH CENTER 1600/2900

RECEIVED  
BOARD OF PATENT APPEALS  
AND INTERFERENCES  
OCT 18 PM 10:07